NOTICE OF TYPE II DEVELOPMENT REVIEW APPLICATION AND OPTIONAL SEPA DETERMINATION OF NON-SIGNIFICANCE



(Form DS1301A)

The Clark County Department of Community Development has received an application for development review, as described below. Based on a review of the submitted application materials, the County expects to issue a **Determination of Non-Significance (DNS)** for the proposal allowed by state law and Clark County Code (CCC), Section 40.570.040(E) — Optional DNS Process. As lead agency, the county has determined that the requirements for environmental analysis, protection, and mitigation measures are adequately addressed in the development regulations and comprehensive plan adopted under chapter 36.70A RCW, and in other applicable local, state, or federal laws rules, as provided by RCW 43.21.240 and WAC 197-11-158. Our agency will not require any additional mitigation measures under SEPA. The proposal may include mitigation under applicable codes and the project review.

Comments received within the deadline will be considered in the review of the proposal. Your response to this notice may be your only opportunity to comment on the environmental impacts of this proposal. No additional comment period will be provided unless probable significant environmental impacts are identified during the review process, which would require additional study or special mitigation. The proposal may include mitigation under applicable codes and the project review process may incorporate or require mitigation measures regardless of whether an Environmental Impact Statement (EIS) is prepared.

Closing Date for Public Comments: November 25, 2009

Information regarding this application can be obtained by contacting the staff contact person listed below, or visit the Public Service Center, Development Services Division, 1300 Franklin Street, 3rd Floor, Vancouver, Washington.

Date of this notice: November 10, 2009

Project Name: 139th STREET PLAZA

Case Number: PLD2009-00050; PSR2009-00042; SEP2009-00092

Location: 406 NE 139th Street

Request:

The applicant is proposing to divide approximately 4.68 acres located in an ML (Light Industrial) zoning district into four (4) parcels, and then is requesting site plan approval for an existing automotive shop on Lot 1, a veterinary clinic on Lot 2 and a ministorage facility on Lot 4. No development is proposed for Lot 3 at this time.

Applicant:

J.A. Morris Construction LLC

P.O. Box 12645 Olympia, WA 98508

(360) 570-8515 [phone]; (360) 570-8513 [fax]

kim@jamorrisconstruction.com

Contact Person:

Same as applicant

Property Owner:

Tom and Holly Gaynor 12915 NE 176th Circle Battle Ground, WA 98604

Zoning:

ML (Light Industrial)

Comp Plan Designation:

ML (Light Industrial

Parcel Number:

185402-000

Township: 3 North

Range: 1 East

SE ¼ of Section: 22

Applicable Code Sections:

40.200 (General Provisions); 40.230.080 (Industrial Districts); 40.320.010 (Landscaping and Screening); 40.340.010 (Parking and Loading); 40.350.010 (Pedestrian/Bicycle Circulation Standards); 40.350.020 (Transportation Concurrency); 40.350.030 (Street and Road Standards); 40.360 (Solid Waste and Recycling); 40.370.010 (Sewer Regulations); 40.370.020 (Water Supply); 40.380 (Stormwater and Erosion Control); 40.500 (Procedures); 40.510.020 (Type II Process); 40.540.030 (Short Plats); 40.520.040 (Site Plan Review); 40.570 (SEPA); 40.610 and 40.620 (Impact Fees); Title 14 (Buildings and Structures); and Title 15 (Fire Code).

Neighborhood Contact:

North Salmon Creek Neighborhood Association Barbara Anderson, President 105 NE 150th Street Vancouver, WA 98685 (360) 573-2240

E-mail: barbara.anderson@msn.com

Staff Contact Person:

<u>Planner</u>: Vicki Kirsher (360) 397-2375, ext. 4178

E-mail: vicki.kirsher@clark.wa.gov

Team Leader: Travis Goddard (360) 397-2375, ext. 4180.

Please email SEPA comments to: vicki.kirsher@clark.wa.gov

Responsible Official: Michael V. Butts, Development Services Manager Public Service Center, Department of Community Development, 1300 Franklin Street, P.O. Box 9810, Vancouver, WA 98666-9810

Application Filing date: October 7, 2009 Fully Complete Date: October 28, 2009

SEPA Options:

As lead agency under the State Environmental Policy Act (SEPA) Rules [Chapter 197-11, Washington Administrative Code (WAC)], Clark County must determine if there are possible significant adverse environmental impacts associated with this proposal. The options include the following:

- **DS = Determination of Significance** (The impacts cannot be mitigated through conditions of approval and, therefore, requiring the preparation of an Environmental Impact Statement (EIS);
- MDNS = Mitigated Determination of Non-Significance (The impacts can be mitigated through conditions of approval); or,
- DNS = Determination of Non-Significance (The impacts can be addressed by applying the County Code).

Timelines/Process:

Decisions on Type II applications are made within 78 calendar days of the Fully Complete date (noted above), unless placed on hold for the submittal of additional information.

Appeal Process:

The responsible official's decision on the application may be appealed to the County Hearings Examiner by the applicant or any person or group that qualifies as a "Part of Record." To qualify as a party of record, you must have submitted written comments or a written request to be identified as a Party of Record within the comment deadline. Note: If an accurate mailing address for those submitting comment is <u>not</u> included, they will <u>not</u> qualify as a "Party of Record" and, therefore, will not have standing to appeal the decision. An appellant must submit an appeal application and appeal fee within 14 calendar days after the written notice of the decision is mailed.

SEPA Appeals:

A **procedural SEPA appeal** is an appeal of the determination (i.e., determination of significance, determination of non-significance).

A **substantive SEPA appeal** is an appeal of the conditions required to mitigate for probable significant issues not adequately addressed by existing County Code or other law.

A **procedural or substantive appeal** must be filed within fourteen (14) calendar days of this determination, together with the appeal fee. Such appeals will be considered at a scheduled public hearing and decided by the Hearing Examiner in a subsequent written decision.

Information Available on the County Web Page:

- "Weekly Preliminary Plan Review Status Report," (includes current applications, staff reports and final decisions): (http://www.clark.wa.gov/commdev/active-landuseN.html)
- Pre-Application Conferences and Public Land Use Hearing Agendas: (http://www.clark.wa.gov/commdev/agendasN.asp)
- Applications and Information Handouts for each Type of Land Use Permit: (http://www.clark.wa.gov/commdev/applicationsN.html) (Landuse)

Phone: (360) 397-2375; Fax: (360) 397-2011 Web Page at: <u>http://www.clark.wa.gov</u>

Attachments:

- Proposed project site/land division plan
- Map of property owners receiving notice

Agency Distribution:

This notice is being provided to the following agencies with jurisdiction whose services maybe impacted by implementation of this proposal:

Federal Agencies:

U.S. Army Corps of Engineers - Enforcement Division

Tribes:

Cowlitz Indian Tribe Yakama Nation Chinook Tribe

State Agencies:

Department of Natural Resources (S.W. Region)

Department of Ecology

Department of Fish and Wildlife Department of Transportation

Regional Agencies:

Fort Vancouver Regional Library Southwest Clean Air Agency

Vancouver-Clark Parks & Recreation

Local Agencies:

Clark County Department of Community Development

Development Services Development Engineering Fire Marshal's Office

Clark County Health Department

Clark County Public Works Transportation Division

Clark County Conservation District Clark County Water Resource Council City of Vancouver Transportation

Special Purpose Agencies:

Fire Protection District # 6

Clark Public Utilities

Clark Regional Wastewater District/City of Vancouver Water/Sewer

The Media

The Columbian The Oregonian The Reflector

Vancouver Business Journal

The Post Record

Other:

Applicant

Clark County Neighbors

Clark County Natural Resources Council

Clark County Citizens United

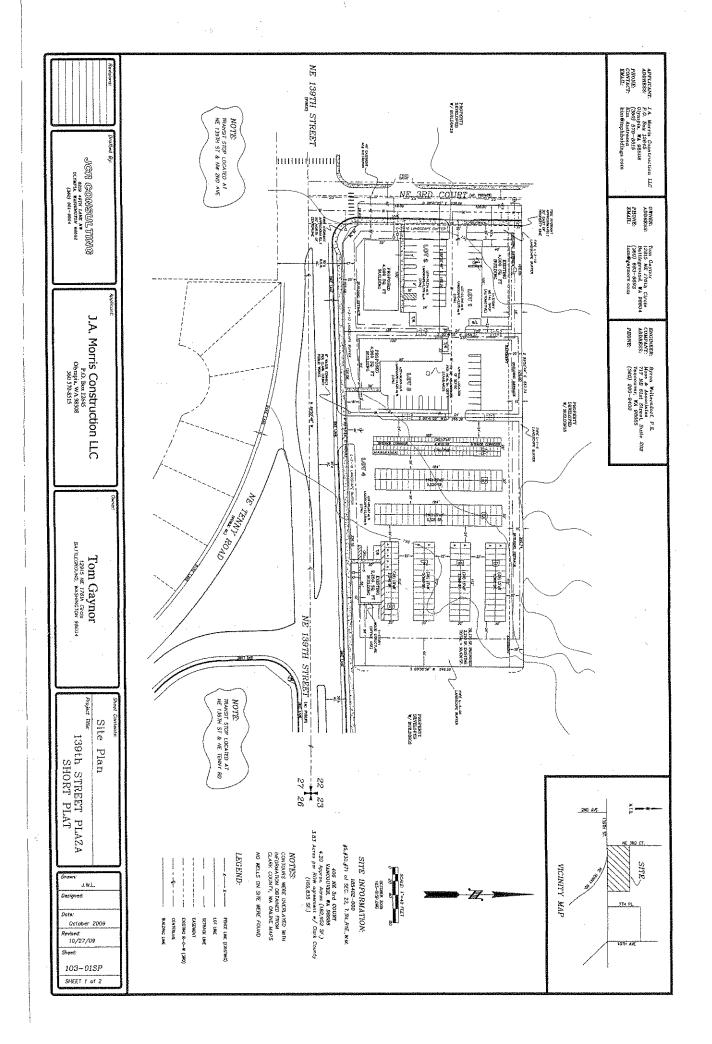
C-Tran

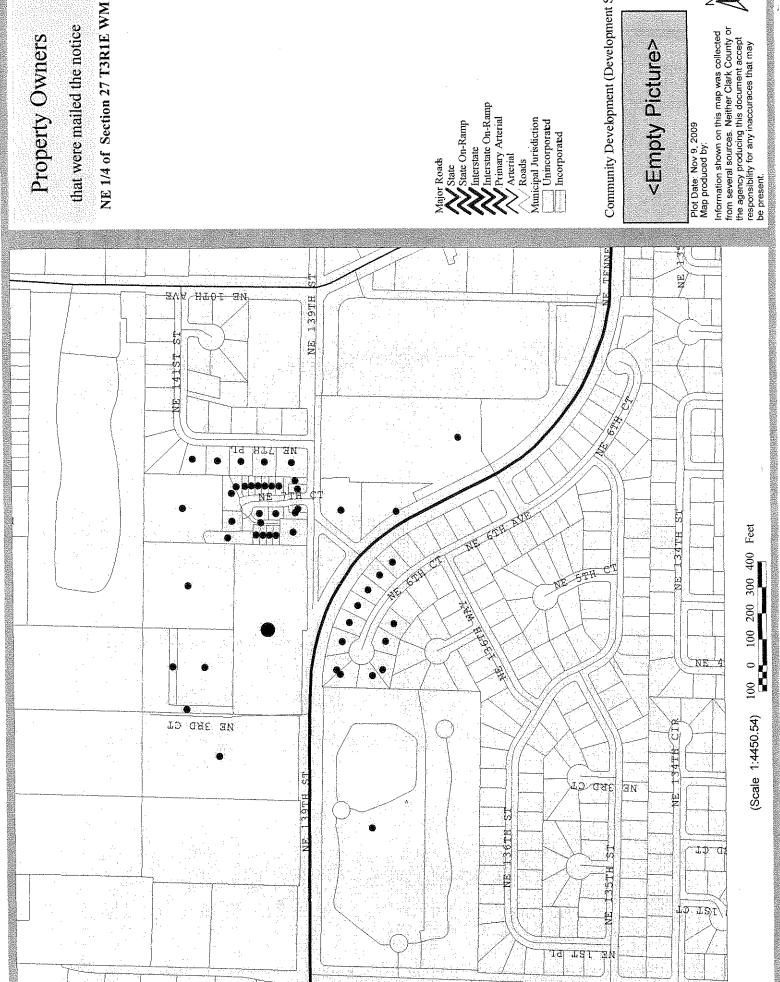
Neighborhood Association

Add Attachment for Agencies:

SEPA checklist

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Property Owners

Community Development (Development Serv

Information shown on this map was collected from several sources. Neither Clark County or the agency producing this document accept responsibility for any inaccuraces that may be present.

A. Background

- 1. Name of proposed project, if applicable: 139Th STREET PLAZA
- 2. Name of applicant: J. A. MORZIS CONSTRUCTION
- 4. Date checklist prepared: 9 11 -09
- 5. Agency requesting checklist: CLAZL COUNTY PLANNING
- 6. Proposed timing or schedule (including phasing, if applicable): FOUNDALL, VUITHIN 5 YEARS
- 7. Do you have any plans for future additions, expansion, or further activity related to this proposal? If yes, explain. Yes, A SHORT PLAT IS PROPOSED LOT IS PLANIED FOR THE FUTURE.
- 8. List any environmental information that has been or will be prepared related to this proposal. ARCHAEOLOGICAL PREDETERMINATION REPORT.
- 9. Are other applications pending for governmental approvals affecting the property covered by your proposal? If yes, please explain.
- 10. List any government approvals or permits needed for your proposal:
- 11. Give a brief, complete description of your proposal, including the proposed uses and size of the project and site. There are several questions addressed later in this checklist asking you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

THIS APPLICATION PROPOSES TO SLIBDIVIDE APPROXIMATELY 3.83 ACRES IN A ML ZONING DISTRICT INTO A 4-LOT SHORT PLAT. AND EXISTING ALTOMOTIVE SHOP WILL REMAIN ON LOT 1, A 4,900 SO. FT. ALTOMOTIVE SERVICE IS PROPOSED FOR LOT 2, A 4,980 SP. FT. AUTOMOTIVE SHOP IS PROPOSED ON LOT 3 AND A 29,850 SP. FT. MINI-STORAGE COMPLEX TO PROPOSED FOR LOT 4 (TO RETAIN THE EXISTING HOUSE FOR THE OFFICE)

12.	Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including street address, section, township, and range. If this proposal occurs over a wide area, please provide the range or boundaries of the site. Also, a legal description, site plan, vicinity map, and topographic map. You are required to submit any plans required by the agency, but not required to submit duplicate maps or plans submitted with permit applications related to this checklist. ADG NE 130TH STREET AND ADGREE TO NE 130TH STREET A
	B. Environmental Elements
1.	Earth Agency
a.	General description of the site (circle one): Flat, rolling, hilly, steep slopes, mountainous, other
b.	What is the steepest slope on the site and the approximate percentage of the slope? FAIRLY FLAT, WITH A VERY SLICHT SLOPE.
C.	What general types of soils are found on the site (e.g., clay, sand, gravel, peat, muck)? Please specify the classification of agricultural soils and note any prime farmland. GEB, 94% PARCEL - OdB, 6% PARCEL
d.	NOW HYDRIC, 94% PARCEL—HYDRIC 6% PARCEL Are there surface indications or history of unstable soils in the immediate vicinity? If so, please describe. NOME KNOWLU
е.	Describe the purpose, type, and approximate quantities of any filling or proposed grading. Also, indicate the source of fill.
f.	Could erosion occur as a result of clearing, construction, or use? If so, please describe. HO, THE SITE VAILL MEET OF EXCEED THE REQUIREMENTS OF CCC 40.380.050
g.	What percentage of the site will be covered with impervious surfaces after the project construction (e.g., asphalt or buildings)?

h. Proposed measures to reduce or control erosion, or other impacts to the earth include:

PROPOSED MEASURES INCLUDE SILT FENCES, STABILIZED CONSTRUCTION ENTRANCES AS REQUIRED

2. Air

a. What types of emissions to the air would result from this proposal (e.g., dust, automobile, odors, industrial wood smoke) during construction and after completion? Please describe and give approximate quantities.

TYPICAL VEHICLE AND EQUIPMENT EMISSIONS PURING CONSTRUCTION

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, please describe.

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c. Proposed measures to reduce or control emissions or other impacts to air:

MONE

3. Water

a. Surface:

 Is there any surface water body on or in the vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, and wetlands)? If yes, describe the type and provide names and into which stream or river it flows into.

NONE WALL

 Will the project require any work within 200 feet of the described waters? If yes, please describe and attach available plans.

10

3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

LOUE

4) Will the proposal require surface water withdrawals or diversions? Please provide description, purpose, and approximate quantities:

5) Does the proposal lie within a 100-year floodplain? If so, please note the location on the site plan.

6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

b. Ground:

- Will ground water be withdrawn, or will water be discharged to ground water? Please give description, purpose, and approximate quantities.
- 2) Describe waste material that will be discharged into the ground from septic tanks or other sources; (e.g., domestic sewage; industrial, containing the following chemicals. . .; agricultural; etc.). Describe the size and number of the systems, houses to be served; or, the number of animals or humans the systems are expected to serve.

PROJECT IS SERVED BY CLARK REGIDANT VIDETENATER AND CLARK COUNTY PUBLIC UTILITIES.

- c. Water runoff (including stormwater):
- 1) Describe the source of runoff (including storm water) and method of collection and disposal. Include quantities, if known. Describe where water will flow, and if it will flow into other water.

 STORMINGTER FROM IMPERIOUS SURFACES WILL BE COLLECTED AND CONVEYED TO EUGINEERED AND APPROVED STORMINGTER.
- Could waste materials enter ground or surface waters? If so, please describe.

NO -

 d. Proposed measures to reduce or control surface, ground, and runoff water impacts, if any:

APPROVED EROSION CONTROL
MEASURES WILL BE USED AS
REQUIRED DURING CONSTRUCTION
AND ALL RAVU (PERVISUS) SURFACES
WILL BE TREATED AND/OR
FINISHED WITH APPROVED Page 9
LANDSCAPING MATERIALS SEPA Handout 32
AND METHODS.

4.	Plants Agency	
	Use only	
a.	Check or circle types of vegetation found on the site:	
	Deciduous tree: alder, maple, aspen, other	
	Evergreen tree: (fir, cedar, pine, other)	
	Shrubs	
	Grass	
	Pasture Pasture	
	Crop or grain	
	• Wet soil plants: cattail, buttercup, bullrush, skunk	
	cabbage, other	
	• Water plants: water lily, eelgrass, milfoil, other	
	• Other types of vegetation	
b.	What kind and amount of vegetation will be removed or	
	altered?	
	SITE VUILL BE CLEARED FOR DEVELOPMENT SOME PERIMETER DIAMITS/TREES MILL DEMAIN IN LAND SCAPED AREAS	Ĭ
C.	List threatened or endangered species on or near the site.	
	NONE KNOVIL	
d.	List proposed landscaping, use of native plants, or other	
	measures to preserve or enhance vegetation on the site:	
	APPROVED LANDSCAPE PLAN THAT	
	WILL MICLUDE TREES, SHRUBS AND	
	GRASS TO MEET OR EXCEED	
-	PEPUISEMENTS	
Э.	Animals	
a.	Circle any birds and animals which have been observed on or near the site:	
	• Birds: hawk, heron, eagle, songbirds, other;	
	• Mammals: deer, bear, elk, beaver, other; and, Louis Known	
	• Fish: bass, salmon, trout, herring, shellfish, other.	
	many and administration of the control of an expension of the control of the cont	

b. List any threatened or endangered species known to be on or near the site.

HOME KHOWN

c. Is the site part of a migration route? If so, please explain.

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d. List proposed measures to preserve or enhance wildlife:

MIA

6. E	nergy	and	natural	resources
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a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

LECTRIC & NATHEAL GAS USED FOR GRUERAL POWER AND HEATING & COOLING

b. Would your project affect the potential use of solar energy by adjacent properties? If so, please describe.

MO

c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts:

ALL IMPROVEMENTS WHILL BE DESIGNED TO MEET OR EXCEED THE MASHINGTON STATE ENERGY CODE.

7. Environmental health

a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, please describe.

1) Describe special emergency services that might be required.

NIA

STALLDARDS,

2) Proposed measures to reduce or control environmental health hazards, if any:

THE EXISTING SEPTIC TANK WILL BE ABANDONED FOR D.O.E.

b. Noise

- 1) What types of noise exist in the area which may affect your project (e.g., traffic, equipment, operation, other)?
- 2) What types and levels of noise are associated with the project on a short-term or a long-term basis (e.g., traffic, construction, operation, other)? Indicate what hours the noise would come from the site.
- Proposed measures to reduce or control noise impacts:

MORK TO BE COMPLETED DURING MORNAL BUSINESS HOURS,

8.	Land	and	shoreline	11CA
Ο.	L CHILL		SHUIGHIE	use

What is the current use of the site and adjacent properties? a. existing butto service business existing paincess. Business and existing natural path business. Has the site been used for agriculture? If so, please describe.

b.

Describe any structures on the site. C. 4000 S.T. AUTO SERVICE BLOG, APPROX 2,250 SF HOUSE AND GARAGE. AND APPROX 2500 SF MARRIAGUSE/ STORAGE **BUDG.**

d. Will any structures be demolished? If so, please describe. and caree YES VUAREHOUSE/STORAGE BUDG WELT HOUSE,

What is the current zoning classification of the site? €.

NU -

f. What is the current comprehensive plan designation of the site?

ML

What is the current shoreline master program designation of g. the site?

MI

h. Has any part of the site been classified as an "environmentally sensitive" area? If so, please specify.

NO

i. How many people would reside or work in the completed project?

4720x, 35-40

How many people would the completed project displace? j. WOVE KHONH

k. Please list proposed measures to avoid or reduce displacement impacts:

HA

١. List proposed measures to ensure the proposal is compatible with existing and projected land uses and plans:

> COMPLY VUITH CUERENT ZONING oponulices, regulations and NCORPORATE CHIDELIUES FOR

DESIGN, PARKING & LANDSCAPING, SEPA Handout 32

Page 12

9.		ļ.	'n	110	i	ng
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- a. Approximately how many units would be provided? Indicate whether it's high, middle, or low-income housing.
- b. Approximately how many units, if any, would be eliminated? Indicate whether it's high, middle, or low-income housing.
- c. List proposed measures to reduce or control housing impacts:

10. Aesthetics

- a. What is the tallest height of any proposed structure(s), not including antennas? What is proposed as the principal exterior building materials? SILLE STORY BLOCK BLO
- b. What views in the immediate vicinity would be altered or obstructed?
- c. Proposed measures to reduce or control aesthetic impacts:

 NCORPORATE GLUDELINES IND THE

 DESIGN.

11. Light and glare

a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

POTELITIAL GLARE FROM GLASS PURING DAYTIME HOURS AND LIGHT FROM PARKING LOT LIGHTING DURING THE NIGHT

- b. Could light or glare from the finished project be a safety hazard or interfere with views?
- c. What existing off-site sources of light or glare may affect your proposal?
- d. Proposed measures to reduce or control light and glare impacts:

PARKING LOT LIGHTING TO BE FOCUSED DOWNWARD AND UPWARD TO TRAFFIC AREAS.

1	2.	Recreation
- 1	<i>L</i>	Lectedinii

What designated and informal recreational opportunities are a. in the immediate vicinity?

> U B FULLER FOLL

b. Would the project displace any existing recreational uses? If so, please describe.

MOUE KNOVUN

d. Proposed measures to reduce or control impacts on recreation, including recreational opportunities to be provided by the project or applicant:

NA

13. Historic and cultural preservation

Are there any places or objects on or near the site which are a. listed or proposed for national, state, or local preservation registers. If so, please describe.

HONE KHONL

Please describe any landmarks or evidence of historic, b. archaeological, scientific, or cultural importance known to be on or next to the site.

NIA

Proposed measures to reduce or control impacts: C.

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14. **Transportation**

Identify the public streets and highways serving the site, and a. describe proposed access to the existing street system. Show on site plans, if any.

BOTH STREET HE BEE OT ACCESS TO PROPERTY H PE, ~ ~ ~ ~

b. Is the site currently served by public transit? If not, what is the approximate distance to the nearest transit stop? NO, TRANSIT STOP AT NE 136TH STO 300 FT (SOUTH) AND HE TENNY RD. AS WELL AS

ZW DVE, @800 FT (WEST) TE ESSTE ST MIXL イドアロ

How many parking spaces would the completed project have? C. How many would the project eliminate?

SPPEOX. SA STALL COMPLETED OH SITE STALLS 三人 いけい イン RELOCATED ALLO INCORPORATED IN PROPOSED DESIGN

Page 14 SEPA Handout 32

		Agency Use only
d.	Will the proposal require new roads or streets, or improvements to existing roads or streets, not including driveways? If so, please describe and indicate whether it's public or private.	
e.	Will the project use water, rail, or air transportation? If so, please describe.	•40.
f.	How many vehicular trips per day would be generated by the completed project? Indicate when peak traffic volumes would occur.	
g.	Proposed measures to reduce or control transportation impacts:	
15. a.	Public services Would the project result in an increased need for public services (e.g., fire protection, police protection, health care, schools, other)? If so, please describe. YES, TYPICAL FIRE & POUCE PROTECTION SERVICES	250
b.	Proposed measures to reduce or control direct impacts on public services: FIRE AARTH, SPRINKLERS ALTONOMICS OF SECURITY SYSTEMS AS REQUIRED BY BUILDING CODES.	
16. a.	Utilities Circle the utilities currently available at the site: electricity, natural gas water refuse service telephone sanitary sewer, septic system, other.	
b.	Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on or near the site.	

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature:	In.	Andre	sen	(10	-5- <i>0</i> 9
Date Submitted:	10-	7-200	99		